



IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ORIGINAL

CRYSTAL SEAMAN,)

Plaintiff,)

Vs)

FOOD GIANT SUPERMARKETS,)

INC.,)

Defendant.)

CASE NO.:

2:05-CV-00414-T

The deposition of CRYSTAL SEAMAN
taken pursuant to the Alabama Rules of Civil
Procedure before Anna S. Padgett, Court
Reporter and Notary Public, State at Large,
at the Law Office of Charles W. Blakeney, 201
North Commerce Street, Geneva, Alabama on the
19th day of July, 2005, commencing at
approximately 12:00 a.m.

1 A You're asking me which had more of the
2 hole?

3 Q But there was hole -- I mean, I'm
4 asking you was the hole on the ramp and in
5 the parking lot?

6 A I believe. And that's been covered.
7 That wasn't like that.

8 Q What wasn't like that?

9 A There was a hole there.

10 Q Oh, okay. On the bottom right. Okay.
11 How often do you shop at this grocery store?

12 A At the time I was probably there at
13 least once a week, I guess.

14 Q Once a week. Was there a certain day
15 you would normally go?

16 A No. It wasn't my regular grocery
17 store. I mean, I just popped in and out. It
18 was convenient.

19 Q Where is your regular grocery store?

20 A At the time it was IGA in Opp.
21 Actually, it still is.

22 Q Why would you pop into this grocery
23 store?

24 A Convenience. It was just convenient.
25 I lived in Hacoda at the time. It was a few

1 miles up the road.

2 Q Okay. Had you ever noticed any
3 problems with this ramp before?

4 A No.

5 Q What about on your way into the store
6 did you have any trouble going up the ramp?

7 A No, sir. I didn't pay attention. But,
8 I mean, it wasn't something I was looking
9 for, you know.

10 Q Okay. Have you heard of anyone else
11 having any problems with that hole?

12 A No, sir.

13 Q And you don't know how the hole was
14 created?

15 A No, sir.

16 Q Or how long it had been there?

17 A No, sir.

18 Q Did you speak with anyone after the
19 accident?

20 A When I went to the truck, I spoke to my
21 husband. Then, the next morning, we called
22 back to the store and I spoke to -- I believe
23 her name was Marcy. I'm not positive. She
24 was the manager.

25 Q You called on the phone?

1 interrogatories you mentioned a mat or a
2 carpeted mat that was -- I think you said it
3 was actually on the ramp?

4 A Yes, sir.

5 Q And had you seen that there on prior
6 occasions?

7 A The mat?

8 Q Yes.

9 A Yes, sir. I want to say it was red. I
10 think it was a red carpet.

11 Q Would it cover the entire ramp?

12 A Yes, sir. It -- I'm not specifically
13 sure of the length, but it went from probably
14 parked way up on the sidewalk down to the
15 bottom of the ramp or a little farther.

16 Q Okay. Was it as wide as the ramp or
17 was it just down the middle?

18 A No. I believe it was pretty much as
19 wide as the ramp, if I recall. It's been a
20 while though. It was a pretty good-size rug.

21 Q And you're aware of no other accidents
22 on that ramp?

23 A Right.

24 Q Or anywhere at the store?

25 A Right.

1 Q It's your position that someone at the
2 store knew about the hole prior to your
3 accident?

4 A I can't prove that, but someone should
5 have known. There was only one door. There
6 is one door in and one door out.

7 Q Okay. Would you agree that if no other
8 accidents had ever occurred there there might
9 not be a reason for someone to realize there
10 was a problem?

11 A No, sir, I wouldn't agree with that.

12 Q Okay. Why should they have realized
13 there was a problem?

14 A Because someone swept that sidewalk
15 every day. I mean, those rugs were picked up
16 and shook off. They brought buggies in and
17 out of that door every day. Someone should
18 have known.

19 Q But you went there once a week and you
20 had never seen the hole before; is that
21 correct?

22 A No, sir.

23 Q Did you know Dr. Beranek before this
24 accident?

25 A I had done surgery with Dr. Beranek

1 A No, sir.

2 Q Do you have an idea about why the mat
3 was there?

4 A No, sir.

5 Q I mean, do they usually have it over
6 the ramp?

7 A No, sir.

8 Q What do you hope to get out of this
9 lawsuit?

10 A I don't know. I think I should be -- I
11 think the wrongs against me should be
12 rectified.

13 Q And what are the wrongs against you?

14 A I wouldn't be here if there wasn't a
15 hole there. Someone should have known it was
16 there.

17 Q But you don't know who that someone is?

18 A No, sir. I -- if I had to make an
19 assumption, pretty much anyone that worked
20 there.

21 Q And you're assuming they should have
22 seen the hole and known it was there?

23 A Yes, sir. I mean, that's an
24 assumption, but if you go in and out the same
25 door every day, you ought to know. I mean,

1 if you walk in and out of your office every
2 day and there is a step there, you know that.

3 Q But prior to the accident, you had been
4 in there once a week at least?

5 A Something like that. Maybe once every
6 week and a half or something, but I mean -- I
7 hadn't -- there was a carpet there, you know.

8 Q Do you know for sure if the carpet was
9 always there?

10 A I can't say always, but I know most of
11 the time when I went there it was there.

12 Q Could it have been there on days that
13 it was raining?

14 A I don't know.

15 Q Just one second. Do you believe
16 anybody at Food Giant did anything to
17 intentionally cause this accident?

18 A No, sir. I mean except -- I guess --

19 Q To you?

20 A No, not to me. But I was going to say
21 if you're talking about in general, it would
22 be different.

23 Q And what is it exactly you think they
24 did wrong?

25 A They avoided their duties of keeping up